



**Convention on the Elimination
of all Forms of Discrimination
Against Women**

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Third session

SUMMARY RECORD OF THE 33rd MEETING

Held at Headquarters, New York,
on Thursday, 29 March 1984, at 3 p.m.

Chairperson: Ms. IDER

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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER
ARTICLE 18 OF THE CONVENTION (continued)

Initial report of the Philippines (continued) (CEDAW/C/5/Add.6)

1. Ms. EL-FETOUH said that she had initially had some problems in considering the report of the Philippines; however, the excellent introduction and the statistics provided by the Permanent Representative of the Philippines had given her a much clearer view of the way in which the provisions of the Convention were being implemented in that country. Nevertheless, with regard to articles 2 and 3 of the Convention, the report mentioned various bills concerning the Civil Code which had not yet been adopted even though they had been before the legislative bodies since 1979 or 1980. She wished to know whether there was strong opposition in the Philippines to the adoption of those laws. Likewise, a bill had been drafted to modify the laws in force pertaining to adultery and concubinage which had a "double standard of morality". She wished to have an explanation as to whether separate morality codes or separate laws for men and women existed in the Philippines with regard to those offences. As for the bills which would impose severer penalties in cases of rape when the victim was under 12 years old or when the crime was committed with the use of deadly weapons or by two or more persons or in the presence of any member of the victim's family, she wondered why it was necessary to promulgate laws with such severe penalties and whether that was because such crimes occurred frequently in the Philippines. With regard to the bill to amend the civil law prohibiting a widow from taking out a marriage licence within 300 days of the death of her husband, she wished to have an explanation as to whether that prohibition applied also to divorced women and widowed or divorced men. The information submitted with regard to article 6 of the Convention stated that the Ministry of Labor was carrying out research on the conditions of women workers in Hong Kong. She asked whether the study concerned Philippine women working in Hong Kong and, if so, why the study focused on that city and not on others. Finally, she wished to have enumerated the measures adopted by the Ministry of Culture to improve the programme of studies of primary schools with a view to ending discrimination on the basis of sex.

2. Ms. LAMM said that the report reflected clearly and in detail the measures adopted by the Government since 1981 to promote equality between men and women. In that respect, the report was complete and satisfactory. However, in other respects the report did not provide sufficient information and failed to meet the requirements. For example, there were no data on the outcome of the measures adopted during the past two years and no mention of the legal norms which guaranteed men and women equal rights. Statistical and empirical data were also lacking on women's participation in the country's political, economic and cultural life. In his introduction to the report, the representative of the Philippines had briefly mentioned the situation of women in rural areas. It would be interesting to find out whether the legal norms were also observed in respect of women in rural areas, what opportunities were available to those women to protect their rights and how the Government encouraged women to strive for them. She also wished to have explained why the Government had felt it necessary to impose such severe and unusual penalties for certain cases of rape.

3. Ms. SMITH observed that, in his introduction to the report, the representative of the Philippines had noted that the principle of equality between the sexes was enshrined in the Constitution, even though the provision which he had cited seemed to be of a very general nature. She would appreciate it if the Committee could be apprised as to whether the Constitution contained any provisions expressly guaranteeing equal rights for all citizens regardless of sex. If that was not the case, was there any legislative measure which expressly prohibited discrimination against women?

4. Ms. GONZALEZ MARTINEZ thanked Ambassador Moreno Salcedo for his kindness in personally introducing the report to the Committee. The report contained a long list in tabular form of activities undertaken in the public and private sectors. Of particular interest was the annex concerning bodies carrying out activities relating to the various articles of the Convention, although no information was included about measures relating to articles 9 and 15, which were very important for the institutional development of the status of women. Nevertheless, Ambassador Moreno Salcedo had provided a number of examples of women's participation in national life and of the national laws penalizing any violation of the principle of equality between men and women. It would be useful if the Secretariat could obtain a copy of the text of the Ambassador's statement, in order to supplement the information available to the Committee. Any omissions in the report were perhaps due to the fact that the guidelines for the preparation of the report had not been provided, with each Government opting for the method which, in its view, most clearly reflected the way in which the provisions of the Convention were being implemented. Nevertheless, it must be pointed out that no reference was made in the report to the texts of the legislative provisions which might develop the legal structure provided for in articles 2 and 3 of the Convention. In the annexes to the report, reference was made to some legislative provisions relating to those articles, but the overwhelming majority of them were still awaiting adoption - in other words, were bills.

5. She wished to associate herself with a number of the questions asked by other experts, especially with regard to the bill on the waiting period before remarriage imposed on widows. It would be interesting to know whether that prohibition applied also to men. With regard to Bill No. 1135, which increased the penalty for the crime of rape when the use of deadly weapons was involved or when it was perpetrated by several persons or in the presence of family members, she wished to know the status of an adolescent or adult woman who was raped by one person in the presence of no one else. With regard to prostitution, the significance of the bill increasing the penalty for white slave trade should be stressed, since in many countries persons engaging in prostitution were punished while those who promoted, protected or abetted it were not. In the context of article 5 of the Convention, it would be interesting to know the results of the seminars and research on family planning and to have an explanation of the levels of access to information and education on that subject. With regard to article 6, she had noted that the Ministry of Labor was conducting a programme to establish links with union organizations with a view to organizing "hospitality girls" into a labour union. She wished to know whether that programme was intended to encourage young women to take up another type of work or simply to have them form their own union. For a

(Ms. Gonzalez Martinez)

number of years, the Government of the Philippines had shown great interest in promoting the advancement of women and had actively participated in the relevant international forums. It would therefore be interesting to have more detailed information regarding legislation, programmes and practices existing in the country, especially with regard to the implementation of the Convention and the commitments made by the Philippines at the conferences at Mexico City and Copenhagen.

6. Ms. JAYASINGHE joined previous speakers in thanking Mr. Moreno Salcedo for his kindness in answering questions about the report of the Philippines in person; she thought that the members of the Committee, in their capacity as experts, would be interested to know the exact function of the National Commission on the Role of Filipino Women (NCRFW) - whether it was a co-ordinating centre or a mechanism to promote the improvement of women's condition in that country. In addition, given the high proportion of women living in rural areas, she wished to know what programmes had been implemented and what measures adopted to improve the condition of peasant women, particularly in accordance with the provisions of the Convention. With regard to the provision in the Labor Code concerning equal pay for equal work, she wished to know whether that provision was implemented in practice. As to the provision regarding night work, she wished to know whether special legislation existed for women, or whether women were not allowed to perform night work (which amounted to a form of discrimination) and what measures the Government had taken in that respect. With regard to the statement that 22 per cent of employed women held administrative posts, she wished to know what percentage of the female labour force consisted of specialized workers and what percentage consisted of non-specialized workers; if the percentage of non-specialized workers was quite high, she wished to know what measures the Government had taken to remedy that situation.

7. Ms. PEYTCHEVA thanked the representative of the Philippines for his introduction to the report, which contained detailed information about women's legal and social status. Like other members of the Committee, she regretted that the report had not been received on time. The report was a schematic outline of the Philippine Government's measures to eliminate inequality in the status of women. More than a year had passed since the end of the period covered by the report; consequently, she wished to know if any of the programmes and studies had been concluded and how the Government proposed to implement them in practice. The report showed that the Government was striving to fulfil its obligations, and she hoped that information would be included in the next report about the measures adopted, the progress made and the real status of Philippine women. She wished to know whether a woman's legal status differed depending on her marital status. Concerning the article of the Convention which specified that States parties should take all appropriate measures to suppress traffic in women, she wished to know whether the Philippines had ratified the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

8. Ms. CORTES said that, while she had not intended to participate in the debate, she wished to refer to the contents of the introduction of the report, which explained that the report covered the measures adopted during the short period elapsing between the ratification of the Convention and the time of the preparation of the report. That met the provisions of article 18 of the Convention in a literal manner. The objections of some experts to the report were due to the fact that the report covered only that brief period. However, the measures which had been outlined represented the continuation of efforts made in the past and gave an idea of the situation in the country.

9. Mr. MORENO SALCEDO (Philippines) thanked the Committee for having allowed him to appear on that occasion and answer as many questions as possible. Mrs. Remón would be taking his place, and any questions which could not be answered immediately would be transmitted to the Government of the Philippines. Likewise, he would inform his Government that some experts had had difficulties with the formal presentation of the report; he reiterated that the report covered a period of only one year and that the measures listed were those adopted under the various articles of the Convention.

10. In order to understand the problem of the status of women in the Philippines it was essential to know its history and background. In the Philippines, the law was intended to guarantee the people's happiness and progress, but if tradition made it possible to achieve the same results, it was not important whether a specific law existed or not. Thus, in the Philippines, what women lacked under the law they possessed through tradition, the force of custom and the nature of the people. The saying "The best men are women" not only had a humorous meaning but was also meant as a tribute. Women were not considered inferior to men, but complementary to them; as one Asian leader had said, "Women hold up half the sky". According to Philippine mythology, man and woman had issued forth together from the bamboo. All of Philippine society and its traditions were based more on the concept of complementarity than on equality.

11. In answer to the question relating to the provision which allowed widows to take out a marriage licence 30 days after the death of their husbands, he explained that the period had previously been 300 days, which roughly corresponded to the natural period elapsing between conception and birth. The delay had been intended to protect a possible child as the deceased father's heir. Currently, with modern methods, it was possible to ascertain within 30 days whether a woman was pregnant; that was the change which was being proposed.

12. The protection of women had its basis not only in law but in tradition as well. The Philippines considered that the law ought to be the product of the society itself; therefore, the laws imposed during the country's colonial past, such as the provision based on the Napoleonic Code concerning a woman's dowry, for example, were not implemented. In the Philippines, the man paid the dowry in order to compensate the family for the loss of their daughter. That dowry was paid in cash or in the form of services, as was generally the case in the provinces. There was no law on the subject, but women were protected in practice. There must be a balance between the law and custom.

(Mr. Moreno Salcedo, Philippines)

13. Philippine society was based on a balance between custom and law. In trying to over-protect women, it was possible that the equilibrium which existed in relationships between men and women might be destroyed. Filipinos wanted women to remain as they had been in the past; they did not want them to lose their femininity and wanted to protect them. They wanted women to approach them with charm, not polemics; they wanted their dealings with women to be infused with a spirit of complementarity. To date, Philippine women had been sufficiently intelligent to understand the situation. Their best weapon was the way in which they dealt with Philippine men. For that reason, there was no women's liberation movement in the Philippines. There was no need for a women's liberation movement because, if they became involved in that type of confrontation, women would never obtain from men what they had been able to obtain from them in the past.

14. It was a very common practice in the Philippines for men to hand over their salary to their wives. Women could spend all the money, but they did not do so because they were responsible individuals who watched over the family, and, in Philippine society, love of family took precedence over love of material things. Furthermore, if they did so, they would be criticized by society. A man gave his entire salary to his wife because in that way he was delegating to her the responsibility for its administration, and that gave him time to attend to other matters.

15. With regard to the question as to why the penalty for the crime of rape, especially of women under 12 years of age, was so severe, one must refer once again to Philippine tradition. In traditional society, the most important concepts were honour and the family. Honour was demonstrated by respect for women and women's bodies. A man could be mutilated or killed, and that crime would be punished, but such an event would not stir Filipinos to the core. On the other hand, if a woman's body was violated, her sensitivity was offended and the transgression therefore became an unpardonable crime. One might slap a man, but not a woman. Honour was personified in womankind. If a woman was dishonoured, the offence was doubly reprehensible, doubly repugnant and doubly punishable. A crime committed against the body of the woman was not only a crime against that woman, but also against honour and the family. The rape of a minor was even worse, and thus the appropriate penalty was death. Filipinos believed in the death penalty. If a woman was over 12 years of age, the penalty was lighter. However, if the rape was carried out under the threat of a weapon, that constituted an aggravating circumstance.

16. As to the question of why women did not occupy high-level posts, no law prohibited women from occupying such positions, but they knew that they would gain more if they were invisible. Women did not wish to be prominent because prominence would make them lose their femininity. In addition, there was currently one university for women only. As to whether there was equal pay for equal work, it was very difficult to ensure compliance with that provision. Nevertheless, if a woman succeeded in proving that that standard was infringed, she would receive compensation.

Initial report of the People's Republic of China (CEDAW/C/5/Add.14)

17. Mrs. ZANG Zhong-an (China) said that it had been over three years since the Convention had entered into force in her country. The defence of the legitimate rights of women and children was one of the basic policies that had been unswervingly carried out since the birth of the People's Republic of China. The principles of the Convention coincided basically with the desires and needs of the Chinese people. Its implementation was of practical significance in furthering equality between men and women.

18. The Government of China had always regarded the emancipation of women as an integral part of the task of building socialism and had made sustained efforts to achieve full equality between the sexes. The Constitution guaranteed equality of rights for women. Those rights were also set forth in the Marriage Law, the Electoral Law, the Criminal Code and other instruments. Those provisions fell into two categories: the basic rights of all citizens regardless of sex and the special rights and interests of women.

19. The new Constitution, adopted in 1982, stipulated in unequivocal terms the general principle of equality between the sexes. Among the major provisions concerning the protection of the rights of women and children, article 33 of the Constitution stipulated that all citizens of the People's Republic of China were equal before the law. Article 48 of the Constitution laid down that women enjoyed equal rights with men in all spheres of life, political, economic, cultural and social, including family life. The State protected the rights and interests of women, applied to men and women the principle of equal pay for equal work, and trained and selected cadres from among women.

20. Article 49 stated, inter alia, that marriage, the family and mothers and children were protected by the State. Violation of the freedom of marriage and maltreatment of old people, women and children were prohibited. In order to ensure the implementation of the Constitutional provisions, the Chinese Government was in the process of formulating specific legislation dealing with the protection of the rights and interests of women. To put those laws and regulations into practice, the Sixth National People's Congress had decided to mandate its Standing Committee to draft laws and to monitor the implementation of the Constitution. The Standing Committee had decided to set up a Law Committee, 2 of whose 13 members were women who were, at the same time, Vice-Presidents of the All-China Women's Federation, which placed them in an even better position to safeguard women's legitimate rights and interests.

21. China believed that the role of women and the development of the country were complementary. It was impossible to progress on the road towards socialism without the participation of women. It was only when more and more of them became part of the active population that it would be possible to enhance continuously their status in political, economic and social life and in the family. Currently, the number of urban working women had increased to 40,930,000, a figure which represented 36.2 per cent of the urban work force. In addition to the textile industry, women worked in light industries, cultural and educational institutions, public health and commerce. They also practised non-traditional professions in

(Mrs. Zang Zhong-an, China)

such sectors as the oil industry, railways and communications, geology, agriculture, forestry, meteorology, electronics and space technology. Many prominent women carried out important functions at all levels and many of them had been cited as model workers.

22. In the rural areas, where 80 per cent of the country's population lived, the female work force totalled 150 million. Women played an important role in the current reform of the economic system in the rural areas and carried out all kinds of productive work. Women now had more opportunities to apply their skills, and many of them had made commendable achievements in production and in management. In addition, their income had greatly increased and their performance helped in overcoming outmoded ideas of male superiority, of which there were still some vestiges.

23. Chinese women had steadily raised their cultural level and had improved their working skills. Women constituted nearly one third of the country's scientists and technicians. There were approximately 100,000 women instructors and engineers. In the universities, one fourth of the faculty were women. Fifteen women who had made outstanding scientific contributions were members of the Chinese Academy of Sciences. The peasants and workers were experiencing a new wave of enthusiasm for learning science and culture. To meet their needs, adult education was being promoted together with full-time school education. In the past 30 years, half of the 43 million that had graduated from adult educational institutions were women.

24. The Marriage Law provided the basic guidelines governing family relations. The new Marriage Law, adopted in 1980, stipulated that marriage was based on the free choice of partners, monogamy and equal rights for the sexes. The lawful rights of women, children and the aged were protected and the law stipulated that both partners enjoyed equal status in the home, each had the right to use his or her family name and had the freedom to work, study and participate in social activities without interference from the other. Both husband and wife had the duty to practise family planning. Children could adopt either their father's or mother's family name. The Marriage Law guaranteed that women had equal rights and obligations in the home, and it had led to family relations being more happy and stable. It was very common for both spouses to share domestic chores and that had contributed to solving the practical problems of working wives and had promoted proper social attitudes. Meanwhile the Government was endeavouring to lessen the load of housework by increasing public services. Today, in the major cities of the country efforts were being made to develop tasty prepared or semi-prepared foods, reasonably priced clothing for both sexes and all ages, and electric appliances to make housekeeping easier. One of the most important measures to alleviate women's household burdens was the establishment of more child-care services. At present, a quarter of all pre-school-age children received care and education in various types of nurseries and kindergartens.

25. The All-China Women's Federation was a national mass organization for women which served as a link between the Government and female population. Its main objective was to protect the rights and interests of women and children. The Federation had actively participated in the drawing up of the Constitution and it

(Mrs. Zang Zhong-an, China)

took part in formulating government policies, decrees and plans, and monitored their implementation. In September 1983 the Federation had convened its Fifth National Congress, attended by nearly 2,000 representatives; one of the major topics had been how to implement the rights and protect the interests of women and children as laid down in the Constitution. Between the winter of 1983 and the spring of 1984 a public educational programme on the legal protection of the legitimate rights and interests of women and children, co-sponsored by the relevant governmental departments, the All-China Women's Federation, the All-China Federation of Trade Unions and the Communist Youth League, had been launched throughout the country. That programme had used all the mass media in order to explain the contents and underlying spirit of the legal provisions safeguarding the rights and interests of women and children. It had cited exemplary action taken in that regard, called upon women to defend their own legitimate rights and interests, had encouraged them to learn about and comply with the law, and had urged them to be self-confident, to respect and improve themselves, and to use the law as a weapon to combat the violation of their rights. Many professionals in the field of law had gone to the grass-roots level and had set up legal-advice booths in residential areas, factories and villages to spread knowledge about the law and to provide legal guidance. That nation-wide programme had aroused public concern about the issue and had made the whole of society more aware of its responsibility in safeguarding the rights and interests of women and children. It had dealt a heavy blow to the lingering discriminatory practices and traditional prejudices against women, had helped enhance women's self-confidence and their awareness of the need for self-improvement, and had laid the foundation for a generally accepted social morality which respected the principle of equality between the sexes and protected women and children.

26. In view of the foregoing, it was obvious that the Government intended to implement the Convention. It was very difficult to eradicate within a short period of time the centuries-old ideas of male superiority and other traditional prejudices against women. Those prejudices, aggravated by the influence of decadent ideologies from abroad, had resulted in sporadic cases of discrimination and maltreatment of women. The combined efforts of all sectors of society were necessary in order to stamp them out and stop the violation of the legitimate rights and interests of women. The Chinese Government believed that publicizing the principles of the Convention and implementing them more extensively would help achieve that goal. Through the measures taken by the Government, the enthusiastic response and support of the whole society and the vigorous efforts of the women themselves, it could be hoped that the principle of equality between the sexes laid down in the Convention would become a reality and that all forms of discrimination against women would be eliminated. The Chinese Government was determined to spare no effort to achieve that objective.

27. Ms. SMITH expressed satisfaction at the sincere and concise report submitted by the People's Republic of China. In view of the great size of the country, clearly it must be very difficult to eliminate, both de facto and de jure, all forms of discrimination; nevertheless, it was evident that the Government was determined to ensure the full implementation of the Convention. The report

(Ms. Smith)

indicated the percentage of women who worked, but it would be interesting to receive further data on the percentage of women who participated in political life. The same question could be raised about all other activities - for example, the way they participated in the legal structure and the percentage of women who were judges. Although the report showed that women enjoyed the same rights as men with regard to education, it would be useful to know what measures had been taken in order to encourage women to choose non-stereotyped and non-traditional disciplines. The Constitution of China guaranteed the right to education; the question was how that right was guaranteed.

28. The report showed that the legislation relating to employment was not discriminatory, but that was, of course, not enough to eliminate traditional practices which were detrimental to women: she needed to know what measures had been adopted in order to promote effective equality between the sexes and what programmes there were for encouraging women to seek higher or more responsible positions. With regard to domestic activities, it would be interesting to know whether, in practice, fathers took part in raising children. Furthermore, it would be useful to know whether the principle of equal pay for equal work was strictly applied in practice, what types of work were predominantly performed by women, and whether those women for the most part occupied posts carrying less responsibility or an inferior status. The Constitution stipulated that all citizens had the right as well as the duty to work. Could that be interpreted to mean that all women were obliged to work? The report stated that 36 per cent of the total urban work force were women; the question was what the remaining women who lived in the cities did.

29. When considering the rights laid down in legislation, it was important to examine the existing forms of recourse which ensured that the legislation could really be applied. What could a Chinese woman do when she felt that she was being discriminated against? Where and how was that fact reported? Was there a kind of Pmbudsman or was it necessary to take the matter to court? The statement made by Mrs. Zhang Zhong-an on the provision of free legal assistance at the grass-roots level was very interesting. More detailed information on that subject would be appreciated.

30. Article 49 of the Constitution stipulated that marriage, the family and mothers and children were protected by the State. She wished to know how that protection was provided in practice. Article 49 also stipulated that husbands and wives had the duty to practise family planning. What happened when they did not practise it? Were they punished in any way? Article 49 prohibited maltreatment of old people, women and children; it could be inferred from the omitted reference to men that the maltreatment of men was permitted. Further information was required on the conceptual aspect of the norms which applied that constitutional principle.

31. Ms. BERNARD, Rapporteur, expressed satisfaction at the candidness of the report, which referred to vestiges of discrimination that still existed and gave examples of them. She wished to know whether prostitution still existed in China and, if so, what measures were being taken to eliminate it and whether any punishment was imposed against it.

(Ms. Bernard)

32. She wished to know the percentage of women in high-level posts in the various government departments, ministries, mayoral offices, etc. The report implied that the percentage of women enrolled in universities was lower than the percentage of women enrolled in primary and secondary education. She asked what measures were being taken to encourage their enrolment in higher education.
33. Since women constituted more than one half of the workforce in rural areas, it would be interesting to compare that figure with the percentage of women in rural areas who received general or technical training. She also wished to know whether, in practice, the principle of equal pay for equal work was applied in rural areas and whether women in those areas also received paid maternity leave.
34. Lastly, the report indicated that there was a difference between the diseases which affected women living in the two different areas: it was found that cervical cancer remained the main threat in the cities, while metropitosis and urethral fistula were the most frequent diseases in the countryside. It would be interesting to know what caused that difference.
35. Ms. SALEMA commended the representative of China on the remarkable report she had introduced and expressed her admiration for China's efforts to eliminate the feudal ideas of masculine superiority. Referring to the family planning measures mentioned in the report, she asked whether the Chinese Government provided any penalty for couples who did not observe the rule to have only one child and what happened in cases where couples wanted to have more than one child and, therefore, did so. She also asked whether any penalty was provided for violations of the principle of freedom of marriage and requested more detailed figures on the participation of women at all levels in the country's political life.
36. Ms. VELIZ DE VILLALVILLA joined the previous speaker in requesting more detailed information about family planning in China and about the participation of women in the country's political life. She also asked what percentage of women belonged to the Chinese Communist Party and how women were represented in positions of leadership and decision-making at the various levels. Referring to the All-China Women's Federation, she requested more specific information on the size of its membership, its structure and the type of activities it carried out, particularly in the field of education. In addition, she praised the frank way in which the report discussed the problem of the school drop-out rate in rural areas and asked what measures had been taken in that regard. She also asked whether there was any illiteracy in China and what programmes provided adult education courses. Moreover, she asked what was the duration of maternity leave and whether women were entitled to paid leave in order to care for small children when they were ill. The report stated that urban working women received retirement pensions and, in that connection, she asked whether there was any difference between the retirement rights of women in rural areas and those in urban areas. The report also indicated that, after retirement, women continued to enjoy free medical care and she therefore asked whether medical care was not always provided free of charge in China.

37. Ms. JAYASINGHE congratulated the representative of China on her country's report and praised the conciseness and frankness. She requested additional information about the percentage of women holding high-level positions in China and about the literacy rate for women, as compared to that for men. Since the report indicated that there were still some cases of discrimination and maltreatment of women, she requested clarification concerning the area in which such cases were found and what measures could be adopted to correct the situation.

38. Ms. MUKAYIRANGA observed that the report introduced by the representative of China showed that her Government had sought to fulfil the obligations assumed under the Convention. In that connection, she asked for more detailed information about the nature of the responsibility system which had enabled women peasants to develop fully their potentials. The report indicated that article 49 of the Constitution guaranteed the protection of marriage, mothers and the family. Accordingly, she asked why so much emphasis was placed on the institution of marriage, what was the situation of single mothers and whether their rights were any different from those of married mothers. She had noted that the report mentioned the fact that couples had the duty to practise family planning. Articles published in the international press had cited cases of sterilization following the birth of the second child. She asked whether that did not constitute a violation of human rights. In her opinion, couples should have as many children as they wanted, particularly if they had sufficient income. She wondered whether obligatory family planning was among the ideals of the Chinese socialist society and why couples considered it to be a duty. It would also be interesting to know how equality was practised within the family, since the report indicated that there still existed certain prejudices and practices which were difficult to eliminate. She asked whether women continued to live under the sway of such prejudices and practices. She had been unable to find any mention in the report of the legislation governing nationality. She therefore asked whether it was possible in China for women who married foreigners to transmit their nationality to them and, vice versa, for Chinese women to adopt the nationality of their husbands.

39. Mr. NORDENFELT said that he had read China's report with great interest and wished to make a few comments in that regard. First of all, he requested additional information about the system of penalties to ensure compliance with the provisions of the Constitution and with the laws governing equality and to punish acts of discrimination. The report indicated that the Government had adopted several measures to control and eliminate those problems and, accordingly, he asked what those measures were. Referring to the fact that the women's federations were to set up legal advisory services, he asked what resources were available for that purpose. While the report contained specific figures on the participation of women in different sectors of the economy, he would like to have figures on the participation of women in public and political life. Referring to the distribution of women in the various sectors and occupations, he requested information on the different levels at which women participated and the corresponding figures. In addition, he asked what role women played in rural production under the new managerial system, for example, whether women had an actual role to play, different from that of men, or whether individual ability was the main criteria used in selecting people for managerial positions. He drew attention to the information

(Mr. Nordenfelt)

contained on page 7 concerning "further training by rotation" in several areas and "other specialized skills suitable to women" and asked whether that meant that women were continuing to do what they had always done in the agricultural sector. Lastly, with regard to the counselling services and information on genetics and the pre-natal physical examination of the foetus "to ensure fewer and better children and upgrade the quality of the population", he observed that, while he understood the reference to "fewer children", he would like clarification about the rest of the sentence.

40. Ms. OESER supported previous speakers in expressing appreciation to the representative of China for her introduction of the report, which gave a general idea of the status of Chinese women. The report had been prepared before the Committee had drawn up its guidelines and was consistent with the requirements of the Convention. She was impressed by the honest discussion of the maltreatment, abuses and problems which still persisted, despite the efforts made. She asked several specific questions, for example, whether any data were available on the results of family planning and whether considerable results had been achieved. Referring to the right as well as the duty to work, which were dealt with in article 42 of the Constitution, she asked whether that posed a problem which affected a broad sector and what consequences were provided for people who did not want to work. She also requested additional information about the main difference between the 1950 and the 1980 laws governing marriage. In addition, she requested clarification concerning the provision to the effect that: "After a marriage has been registered, the woman may become a member of the man's family, or the man may become a member of the woman's family, according to the agreed wishes of the two parties". Lastly, she requested more information about the functions of the women's federations, in particular, their efforts to ensure compliance with the provisions of the Convention.

ORGANIZATION OF WORK

41. Ms. GONZALEZ MARTINEZ reminded members that it would be difficult for the Committee to complete its remaining work in the time available and suggested that the consideration of one or more report should perhaps be postponed until the next session. Moreover, firm rules should be adopted to ensure that, in discussing the draft report, the Committee avoided digressions and unproductive comments. It was also necessary to decide on the organization of work for the rest of the current session.

42. Ms. ILIC suggested that some way should be found to have more time, perhaps by holding additional meetings late in the afternoon.

43. The CHAIRPERSON suggested that a decision on that matter should be taken the following day.

The meeting rose at 6.05 p.m.